

## NOTICE OF INTENT

Department of Environmental Quality  
Office of Environmental Assessment  
Environmental Planning Division

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Environmental Quality regulations, LAC 33:I.3931; 33:III.507, 1432, 3003, 5116, 5122, and 5311; 33:V.Chapter 30.Appendices A-M; 33:IX.2301, 2531, 2533, and 2709; 33:XI.1111; and 33:XV.1517 (Log #OS040\*).

This proposed rule is identical to federal regulations found in 10 CFR 71, 7/1/2000; 40 CFR 60, 61, 63, 70.6, 93, 117.3, 122.29, 136, 144.63, 266.appendices A - M, 268.40, 302.4, 401, and 405-471, 7/1/2000, which are applicable in Louisiana. For more information regarding the federal requirement, contact the Regulation Development Section at (225) 765-0399 or Box 82178, Baton Rouge, LA 70884-2178. No fiscal or economic impact will result from the proposed rule; therefore, the rule will be promulgated in accordance with R.S. 49:953(F)(3) and (4).

This proposed rule incorporates by reference into LAC 33:I, III, V, IX, XI, and XV the corresponding regulations in 10 CFR 71 and 40 CFR parts 60, 61, 63, 70.6, 93, 117.3, 122.29, 136, 144.63, 266, 302.4, 401, and 405-471. In order for Louisiana to maintain equivalency with federal regulations, the most current *Code of Federal Regulations* must be adopted into the LAC. This rulemaking is necessary to maintain delegation, authorization, etc., granted to Louisiana by EPA. This incorporation by reference package is being proposed to keep Louisiana's regulations current with their federal counterparts. The basis and rationale for this proposed rule are to mirror the federal regulations in order to maintain equivalency.

This proposed rule meets an exception listed in R.S. 30:2019 (D) (2) and R.S.49:953 (G) (3); therefore, no report regarding environmental/health benefits and social/economic costs is required. This proposed rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

A public hearing will be held on November 26, 2001, at 1:30 p.m. in the Maynard Ketcham Building, Room 326, 7290 Bluebonnet Boulevard, Baton Rouge, LA 70810. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate, contact Patsy Deaville at the address given below or at (225) 765-0399.

All interested persons are invited to submit written comments on the proposed regulations. Persons commenting should reference this proposed regulation by OS040\*. Such comments must be received no later than November 26, 2001, at 4:30 p.m., and should be sent to Patsy Deaville, Regulation Development Section, Box 82178, Baton Rouge, LA 70884-2178 or

to FAX (225) 765-0389. The comment period for this rule ends on the same date as the public hearing. Copies of this proposed regulation can be purchased at the above referenced address. Contact the Regulation Development Section at (225) 765-0399 for pricing information. Check or money order is required in advance for each copy of OS040\*.

This proposed regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 7290 Bluebonnet Boulevard, Fourth Floor, Baton Rouge, LA 70810; 804 Thirty-first Street, Monroe, LA 71203; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 3519 Patrick Street, Lake Charles, LA 70605; 201 Evans Road, Building 4, Suite 420, New Orleans, LA 70123; 100 Asma Boulevard, Suite 151, Lafayette, LA 70508; 104 Lococo Drive, Raceland, LA 70394 or on the Internet at <http://www.deq.state.la.us/planning/regs/index.htm>.

James H. Brent, Ph.D.  
Assistant Secretary

**Title 33****ENVIRONMENTAL QUALITY****Part I. Office of the Secretary****Subpart 2. Notification****Chapter 39. Notification Regulations and Procedures for Unauthorized Discharges****Subchapter E. Reportable Quantities for Notification of Unauthorized Discharges****§3931. Reportable Quantity List for Pollutants**

\* \* \*

[See Prior Text in A]

1. 40 CFR 117.3 (7-1-~~9700~~ Edition) Table 117.3—Reportable Quantities of Hazardous Substances Designated Pursuant to Section 311 of the Clean Water Act; and

2. 40 CFR 302.4 (7-1-~~9700~~ Edition) Table 302.4—List of Hazardous Substances and Reportable Quantities; Appendix A to §302.4—Sequential CAS Registry Number List of CERCLA Hazardous Substances.

\* \* \*

[See Prior Text in B – Note @]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2025(J), R.S. 30:2060(H), R.S. 30:2076(D), R.S. 30:2183(I), R.S. 30:2194(C), R.S. 30:2204(A), and R.S. 30:2373(B).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 11:770 (August 1985), amended LR 19:1022 (August 1993), LR 20:183 (February 1994), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 21:944 (September 1995), LR 22:341 (May 1996), amended by the Office of the Secretary, LR 24:1288 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:\*\*\*.

**Title 33**  
**ENVIRONMENTAL QUALITY**  
**Part III. Air**

**Chapter 5. Permit Procedures**

**§507. Part 70 Operating Permits Program**

\* \* \*

[See Prior Text in A-B.1]

2. No Part 70 source may operate after the time that the owner or operator of such source is required to submit a permit application under Subsection C of this Section, unless an application has been submitted by the submittal deadline and such application provides information addressing all applicable sections of the application form and has been certified as complete in accordance with LAC 33:III.517.B.1. No Part 70 source may operate after the deadline provided for supplying additional information requested by the permitting authority under LAC 33:III.519, unless such additional information has been submitted within the time specified by the permitting authority. Permits issued to the Part 70 source under this Section shall include the elements required by 40 CFR 70.6. The Louisiana Department of Environmental Quality hereby adopts and incorporates by reference the provisions of 40 CFR 70.6(a), as in effect on ~~July 21, 1992~~ October 22, 1997. Upon issuance of the permit, the Part 70 source shall be operated in compliance with all terms and conditions of the permit. Noncompliance with any federally applicable term or condition of the permit shall constitute a violation of the Clean Air Act and shall be grounds for enforcement action; for permit termination, revocation and reissuance, or revision; or for denial of a permit renewal application.

\* \* \*

[See Prior Text in C-J.5]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2011, 2023, 2024 and 2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 19:1420 (November 1993), LR 20:1375 (December 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2447 (November 2000), LR 27:\*\*.

## Chapter 14. Conformity

### Subchapter B. Conformity to State or Federal Implementation Plans of Transportation Plans, Programs, and Projects Developed, Funded, or Approved Under Title 23 U.S.C. or the Federal Transit Act

#### §1432. Incorporation by Reference

A. 40 CFR part 93, subpart A, ~~sections 101-128 found in the *Federal Register*, volume 62, No. 158, August 15, 1997, pages 43802-43818~~ July 1, 2000, are hereby incorporated by reference with the exclusion of ~~sections 102(d) and 105.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 24:1280 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:\*\*.

## Chapter 30. Standards of Performance for New Stationary Sources (NSPS)

### Subchapter A. Incorporation by Reference (IBR)

#### §3003. IBR 40 *Code of Federal Regulations* (CFR) Part 60

A. Except as modified in this Section, regulations at 40 CFR part 60, as revised July 1, ~~1999-2000~~, and specified below in Tables 1 and 1.A are hereby incorporated by reference as they apply to the State of Louisiana.

Table 1 40 CFR Part 60	
40 CFR Part 60 Subpart	Subpart Heading
	* * * [See Prior Text in A – Cb]
Cc	<del>Emission Guidelines and Compliance Times for Large Municipal Waste Combustors That Are Constructed on or Before September 20, 1994</del> <u>Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills</u>
	* * * [See Prior Text in Cd - WWW]

\* \* \*

[See Prior Text in Table 1.A]

B. ~~Reserved. Final regulations published in the *Federal Register* on the following dates: July 9, 1999, July 15, 1999, September 30, 1999, March 13, 2000 and April 10, 2000 and specified below in Table 2 are hereby incorporated by reference as they apply to the State of Louisiana.~~

Table 2. 40 CFR Part 60			
40 CFR Part 60 Subpart/Appendix	Subpart Heading/Appendix	<i>Federal Register</i> Citation	Date Promulgated
Appendix A	<del>Test Methods: Three New Methods for Velocity and Volumetric Flow Rate Determination in Stacks or Ducts</del>	65 FR 37196	July 9, 1999

<b>Table 2. 40 CFR Part 60</b>			
<b>40 CFR Part 60 Subpart/Appendix</b>	<b>Subpart Heading/Appendix</b>	<b>Federal Register Citation</b>	<b>Date Promulgated</b>
Appendix A	Test Methods: <del>Three New Methods for Velocity and Volumetric Flow Rate Determination in Stacks or Ducts</del>	65 FR 38240	July 15, 1999
Appendix A	Test Methods: <del>Method 51—Determination of Low Level Particulate Matter Emissions From Stationary Sources</del>	64 FR 53027	September 30, 1999
Subpart Db	Standards of Performance for Industrial-Commercial Institutional Steam Generating Units	65 FR 13243	March 13, 2000
Subpart WWW	Standards of Performance for New Stationary Sources and Guidelines for Control of Existing Sources: Municipal Solid Waste Landfills	65 FR 18908	April 10, 2000

\* \* \*

[See Prior Text in C – D]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 22:1212 (December 1996), amended LR 23:1681 (December 1997), LR 24:1287 (July 1998), LR 24:2238 (December 1998), LR 25:1239 (July 1999), LR 25:1797 (October 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:1607 (August 2000), LR 26:2460 (November 2000), LR 26:2608 (November 2000), LR 27:\*\*.

## **Chapter 51. Comprehensive Toxic Air Pollutant Emission Control Program**

### **Subchapter B. Incorporation by Reference of 40 CFR Part 61 (National Emission Standards for Hazardous Air Pollutants)**

#### **5116. Incorporation by Reference of 40 CFR Part 61 (National Emission Standards for Hazardous Air Pollutants)**

A. Except as modified in this Section and specified below, National Emission Standards for Hazardous Air Pollutants published in the *Code of Federal Regulations* at 40 CFR part 61, revised as of July 1, ~~1999~~2000, and specifically listed in the following table are hereby incorporated by reference as they apply to sources in the State of Louisiana.

<b>40 CFR 61</b>	<b>Subpart/Appendix Heading</b>
Subpart A	General Provisions
Subpart C	National Emission Standard for Beryllium
Subpart D	National Emission Standard for Beryllium Rocket Motor Firing
Subpart E	National Emission Standard for Mercury
Subpart F	National Emission Standard for Vinyl Chloride

40 CFR 61	Subpart/Appendix Heading
Subpart J	National Emission Standard for Equipment Leaks (Fugitive Emission Sources) of Benzene
Subpart L	National Emission Standard for Benzene Emissions from Coke By-Product Recovery Plants
Subpart N	National Emission Standard for Inorganic Arsenic Emissions from Glass Manufacturing Plants
Subpart O	National Emission Standard for Inorganic Arsenic Emissions for Primary Copper Smelters
Subpart P	National Emission Standard for Inorganic Arsenic Emissions from Arsenic Trioxide and Metallic Arsenic Production Facilities
Subpart V	National Emission Standard for Equipment Leaks (Fugitive Emission Sources)
Subpart Y	National Emission Standard for Benzene Emissions from Benzene Storage Vessels
Subpart BB	National Emission Standard for Benzene Emissions from Benzene Transfer Operations
Subpart FF	National Emission Standard for Benzene Waste Operations
Appendix A	National Emission Standards for Hazardous Air Pollutants, Compliance Status Information
Appendix B	Test Methods
Appendix C	Quality Assurance Procedures

\* \* \*

[See Prior Text in B - C]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 23:61 (January 1997), LR 23:1658 (December 1997), amended LR 24:1278 (July 1998), LR 25:1464 (August 1999), LR 25:1797 (October 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2271 (October 2000), LR 27:\*\*.

**Subchapter C. Incorporation by Reference of 40 CFR Part 63 (National Standards for Hazardous Air Pollutants for Source Categories) as it Applies to Major Sources**

**§5122. Incorporation by Reference of 40 CFR Part 63 (National Standards for Hazardous Air Pollutants for Source Categories) as it Applies to Major Sources**

A. Except as modified in this Section and specified below, National Emission Standards for Hazardous Air Pollutants for Source Categories published in the *Code of Federal Regulations* at 40 CFR Part 63, revised as of July 1, ~~1999~~ 2000, and specifically listed in the following table are hereby incorporated by reference as they apply to major sources in the State of Louisiana.

40 CFR 63	Subpart/Appendix Heading
* * *	
[See Prior Text in Subpart A – Subpart NNN]	
<u>Subpart OOO</u>	<u>National Emission Standards for Hazardous Air Pollutant Emission: Manufacture of Amino/Phenolic Resins</u>

* * *	
[See Prior Text in Subpart PPP]	
<u>Subpart RRR</u>	<u>National Emission Standard for Hazardous Air Pollutants for Secondary Aluminum Production</u>
* * *	
[See Prior Text in Subpart TTT]	
<u>Subpart VVV</u>	<u>National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works</u>
* * *	
[See Prior Text in Subpart XXX – Appendix D]	

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 23:61 (January 1997), amended LR 23:1659 (December 1997), LR 24:1278 (July 1998), LR 24:2240 (December 1998), LR 25:1464 (August 1999) LR 25:1798 (October 1999), LR 26:690 (April 2000), LR 26:2271 (October 2000), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:\*\*.

### Chapter 53. Area Sources of Toxic Air Pollutants

#### Subchapter B. Incorporation by Reference of 40 CFR Part 63 (National Emission Standards for Hazardous Air Pollutants for Source Categories) as it Applies to Area Sources

##### §5311. Incorporation by Reference of 40 CFR Part 63 (National Emission Standards for Hazardous Air Pollutants for Source Categories) as it Applies to Area Sources

A. Except as modified in this Section and specified below, National Emission Standards for Hazardous Air Pollutants for Source Categories published in the *Code of Federal Regulations* at 40 CFR part 63, revised as of July 1, ~~1998~~ 2000, and specifically listed in the following table are hereby incorporated by reference as they apply to area sources in the State of Louisiana.

40 CFR 63	Subpart/Appendix Heading
Subpart A	General Provisions
Subpart M	National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities
Subpart X	National Emission Standards for Hazardous Air Pollutants From Secondary Lead Smelting

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 23:63 (January 1997), amended LR 23:1660 (December 1997), LR 24:1279 (July 1998), LR 25:1464 (August 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:\*\*.



**Title 33**  
**ENVIRONMENTAL QUALITY**  
**Part V. Hazardous Waste and Hazardous Materials**  
**Subpart 1. Department of Environmental Quality—Hazardous Waste**

**Chapter 30. Hazardous Waste Burned in Boilers and Industrial Furnaces**

**Appendices**

**Appendix A. Tier I and Tier II Feed Rate and Emissions Screening Limits For Metals**

40 CFR 266, appendix I, as amended by ~~56 FR 7228 (February 21, 1991) and 56 FR 32690 (July 17, 1991)~~, July 1, 2000, is hereby incorporated by reference.

**Appendix B. Tier I Feed Rate Screening Limits for Total Chlorine**

40 CFR 266, appendix II, as amended by ~~56 FR 32690 (July 17, 1991)~~, July 1, 2000, is hereby incorporated by reference.

**Appendix C. Tier II Emission Rate Screening Limits for Free Chlorine and Hydrogen Chloride**

40 CFR 266, appendix III, as amended by ~~56 FR 32691 (July 17, 1991)~~, July 1, 2000, is hereby incorporated by reference.

**Appendix D. Reference Air Concentrations**

40 CFR 266, appendix IV, as amended by ~~56 FR 7232 (February 21, 1991) and 56 FR 32691 (July 17, 1991)~~, July 1, 2000, is hereby incorporated by reference, except that in regulations incorporated thereby, references to 40 CFR 261, appendix VIII and 266, appendix V shall mean LAC 33:V.3105.Table 1 and Appendix E of this Chapter, respectively.

**Appendix E. Risk Specific Doses ( $10^{-5}$ )**

40 CFR 266, appendix V, as amended by ~~56 FR 7232 (February 21, 1991)~~, July 1, 2000, is hereby incorporated by reference.

**Appendix F. Stack Plume Rise [Estimated Plume Rise (in Meters) Based on Stack Exit Flow Rate and Gas Temperature]**

40 CFR 266, appendix VI, as amended by ~~56 FR 7233 (February 21, 1991)~~, July 1, 2000, is hereby incorporated by reference.

**Appendix G. Health-Based Limits for Exclusion of Waste-Derived Residues**

40 CFR 266, appendix VII, as amended by ~~56 FR 7234 (February 21, 1991), 56 FR 32691 (July 17, 1991), and 58 FR 59603 (November 9, 1993)~~, July 1, 2000, is hereby incorporated by reference, except that in regulations incorporated thereby, 40 CFR 261, appendix VIII, 266.112(b)(1) and (b)(2)(i), and 268.43 shall mean LAC 33:V.3105.Table 1, 3025.B.1 and B.2.a, and Chapter 22.Table 2, respectively.

**Appendix H. Organic Compounds for Which Residues Must be Analyzed**

40 CFR 266, appendix VIII, as amended by ~~56 FR 7235 (February 21, 1991), 56 FR 32691 (July 17, 1991), 64 FR 52827 (September 30, 1999), and 64 FR 63209 (November 19, 1999)~~, July 1, 2000, is hereby incorporated by reference.

**Appendix I. Methods Manual for Compliance with the BIF Regulations**

A. 40 CFR 266, appendix IX, as amended by ~~56 FR 32692 (July 17, 1991), 56 FR 42512, 42516 (August 27, 1991), 57 FR 38566 (August 25, 1992), 57 FR 44999 (September 30, 1992), and 62 FR 32463 (June 13, 1997)~~, July 1, 2000, is hereby incorporated by reference, except that the citations as follows:

1. 40 CFR 261, appendix VIII, 266.103, 266.103(b), 266.103(b)(3), 266.103(c), 266.103(c)(1), 266.103(c)(3)(ii), 266.103(c)(7), 266.103(d), 266.106, 266.112, 266.112(b)(1) and (b)(2)(i), 268.43, and 266. Subpart H shall mean LAC 33:V.3105. Table 1, 3007, 3007.B, 3007.B.3, 3007.C, 3007.C.1, 3007.C.3.b, 3007.C.7, 3007.D, 3013, 3025, 3025.B.1 and B.2.a, Chapter 22. Table 2, and Chapter 30, respectively.

2. Terms within the incorporated Appendix shall be the terms adopted by reference except that "director," "administrator," "EPA regional office," and "EPA regional office or the appropriate enforcement agency" shall mean "administrative authority."

3. "Environmental Protection Agency" and "EPA" shall mean "administrative authority," except when referring to an EPA method, protocol, file, performance audit sample, handbook, manual, document, program, default value, or default assumption.

4. Equation (7) of appendix A to 40 CFR 266, appendix IX shall be corrected to read:

$$\sigma_t = \left( \frac{(n_1 - 1)S_1^2 + (n_2 - 1)S_2^2}{n_1 + n_2 - 2} \right)^{1/2}$$

B. Federal statutes and regulations that are cited in 40 CFR 266, appendix IX that are not specifically adopted by reference shall be used as guidance in interpreting the federal regulations in 40 CFR 266, appendix IX.

**Appendix J. Reserved****Appendix K. Lead-bearing Materials That May Be Processed in Exempt Lead Smelters**

40 CFR 266, appendix XI, as amended by ~~56 FR 42517 (August 27, 1991)~~, July 1, 2000, is hereby incorporated by reference.

**Appendix L. Nickel or Chromium-Bearing Materials That May Be Processed in Exempt Nickel-Chromium Recovery Furnaces**

40 CFR 266, appendix XII, as amended by ~~56 FR 42517 (August 27, 1991)~~, July 1, 2000, is hereby incorporated by reference, except that the footnote should be deleted.

**Appendix M. Mercury-Bearing Wastes That May Be Processed in Exempt Mercury Recovery Units**

40 CFR 266, appendix XIII, ~~as amended by 59 FR 48042 (September 19, 1994), July 1, 2000,~~ is hereby incorporated by reference, except that in regulations incorporated thereby, 40 CFR 261, appendix VIII shall mean LAC 33:V.3105.Table 1.

**Title 33**  
**ENVIRONMENTAL QUALITY**  
**Part IX. Water Quality**

**Chapter 23. The LPDES Program**

**Subchapter A. Definitions and General Program Requirements**

**§2301. General Conditions**

\* \* \*

[See Prior Text in A – E]

F. All references to the *Code of Federal Regulations* (CFR) contained in this Chapter (e.g., 40 CFR 122.29) shall refer to those regulations published in the July ~~1999~~2000 *Code of Federal Regulations*, unless otherwise noted.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular Section 2074(B)(3) and (B)(4).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 21:945 (September 1995), amended LR 23:199 (February 1997), LR 23:722 (June 1997), LR 25:1467 (August 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:1609 (August 2000), LR 27:\*\*.

**§2531. 40 CFR Part 136**

A. Title 40 (Protection of the Environment) *Code of Federal Regulations* (CFR) part 136, Guidelines Establishing Test Procedures for the Analysis of Pollutants, revised July 1, ~~1999~~2000, in its entirety.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular Section 2074(B)(3) and (B)(4).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 21:945 (September 1995), amended LR 23:958 (August 1997), LR 25:1467 (August 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:1609 (August 2000), LR 27:\*\*.

**§2533. 40 CFR Chapter I, Subchapter N**

A. Title 40 (Protection of the Environment) CFR, chapter I, subchapter N (Effluent Guidelines and Standards), revised July 1, ~~1999~~2000, parts 401 ~~and 402~~, and parts 404~~5~~ - 471 in their entirety. (Note: General Pretreatment Regulations for Existing and New Sources of Pollution found in part 403 of ~~S~~subchapter N have been included in these regulations as Subchapter T.)

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular Section 2074(B)(3) and (B)(4).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 21:945 (September 1995), amended LR 23:958 (August 1997), LR 25:1467 (August 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:1609 (August 2000), LR 27:\*\*.

**Subchapter T. General Pretreatment Regulations for Existing and New Sources of Pollution**  
**§2709. National Pretreatment Standards: Prohibited Discharges**

\* \* \*

[See Prior Text in A.1 – C]

1. Each POTW developing a POTW pretreatment program pursuant to LAC 33:IX.2715 shall develop and enforce specific limits to implement the prohibitions listed in Subsections A.1 and B of this Section. Each POTW with an approved pretreatment program shall continue to develop these limits as necessary and effectively enforce such limits. In addition, the POTW may establish such limits as necessary to address the land disposal restrictions at 40 CFR 268.40 (~~40 CFR, July 1, 1996, as amended in 61 FR 36419, July 9, 1996, and 61 FR 43927, August 26, 1996~~).

\* \* \*

[See Prior Text in C.2 – 3]

D. Local Limits. Where specific prohibitions or limits on pollutants or pollutant parameters are developed by a POTW in accordance with Subsection C of this Section, including those standards established to address land disposal restrictions at 40 CFR 268.40 (~~40 CFR, July 1, 1996, as amended in 61 FR 36419, July 9, 1996, and 61 FR 43927, August 26, 1996~~), such limits shall be deemed pretreatment standards for the purposes of Section 307(d) of the Act.

\* \* \*

[See Prior Text in E]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular Section 2074(B)(3) and (B)(4).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 21:945 (September 1995), amended LR 23:958 (August 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:\*\*.

**Title 33**  
**ENVIRONMENTAL QUALITY**  
**Part XI. Underground Storage Tanks**

**Chapter 11. Financial Responsibility**

**§1111. Financial Test of Self-Insurance**

\* \* \*

[See Prior Text in A – B.2.a.ii]

iii. the sum of current plugging and abandonment cost estimates for which a financial test is used to demonstrate financial responsibility to EPA under 40 CFR 144.63, 1988, pp. 644—653;

\* \* \*

[See Prior Text in B.2.b – G]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Underground Storage Tank Division, LR 16:614 (July 1990), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2560 (November 2000), amended, LR 27:\*\* .

**Title 33**  
**ENVIRONMENTAL QUALITY**  
**Part XV. Radiation Protection**  
**Chapter 15. Transportation of Radioactive Material**

**§1517. Incorporation by Reference**

A. The department incorporates by reference 10 CFR part 71, appendix A (July 1, ~~1999~~2000).

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2104 and 2113

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 26:1270 (June 2000), LR 27:\*\*.